

**Taking Permit Endanger Species Section 10 (a)(1)(B) (USFW-1)**  
**U.S. Fish and Wildlife Service**  
**Pacific Islands Fish and Wildlife Field Office**

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**Permit Packet Includes:**

1. Process Overview
2. Endangered Species Act of 1973 (see Addendum **ESA**)
3. EPA, FWS, and NMFS MOA, February 2001 (see Addendum **ESA**)
4. Section 10 Regulations (see Addendum **ESA Section 10**)
5. FWS and NMFS HCP and ITP Processing Handbook, November 1996 (see Addendum **ESA Section 10**)
6. Addendum to FWS and NMFS HCP and ITP Processing Handbook, June 2000 (see Addendum **ESA Section 10**)
7. HCP Assurances "No Surprises" Rule, February 1998 (see Addendum **ESA Section 10**)
8. FWS and NOAA Safe Harbor Policy, June 1999 (see Addendum **ESA Section 10**)
9. Federal Fish and Wildlife Permit Application Form for ITPs Associated with a HCP, November 2007

**Approval or Permit Required:** To conduct an otherwise lawful activity that might incidentally, but not intentionally, "take" (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) an Endangered Species Act (ESA) listed terrestrial and freshwater aquatic species.

**Contact Information:** Patrice Ashfield  
U.S. Fish and Wildlife Service  
Pacific Islands Fish and Wildlife Field Office  
Consultation and Technical Assistance Program  
300 Ala Moana Blvd., Room 3-122  
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Phone: (808) 792-9400  
Fax: (808) 792-8581

**Websites:**

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Pacific Islands Fish and Wildlife Office, U.S. Fish and Wildlife Services:

<http://www.fws.gov/pacificislands/>

Consultation and Habitat Conservation Planning Program:

<http://www.fws.gov/pacificislands/ctap.html>

Endangered Species Consultation Handbook:

[http://training.fws.gov/EC/Resources/HCP/Guidance\\_and\\_Directors\\_Memo/FWS\\_NMFS\\_Sec\\_7\\_Handbook\\_1998.pdf](http://training.fws.gov/EC/Resources/HCP/Guidance_and_Directors_Memo/FWS_NMFS_Sec_7_Handbook_1998.pdf)

Fact Sheet - HCP:

[http://www.fws.gov/midwest/endangered/permits/hcp/hcp\\_wofactsheet.html](http://www.fws.gov/midwest/endangered/permits/hcp/hcp_wofactsheet.html)

Incidental Take Permits – HCP:

<http://www.fws.gov/forms/3-200-56.pdf>

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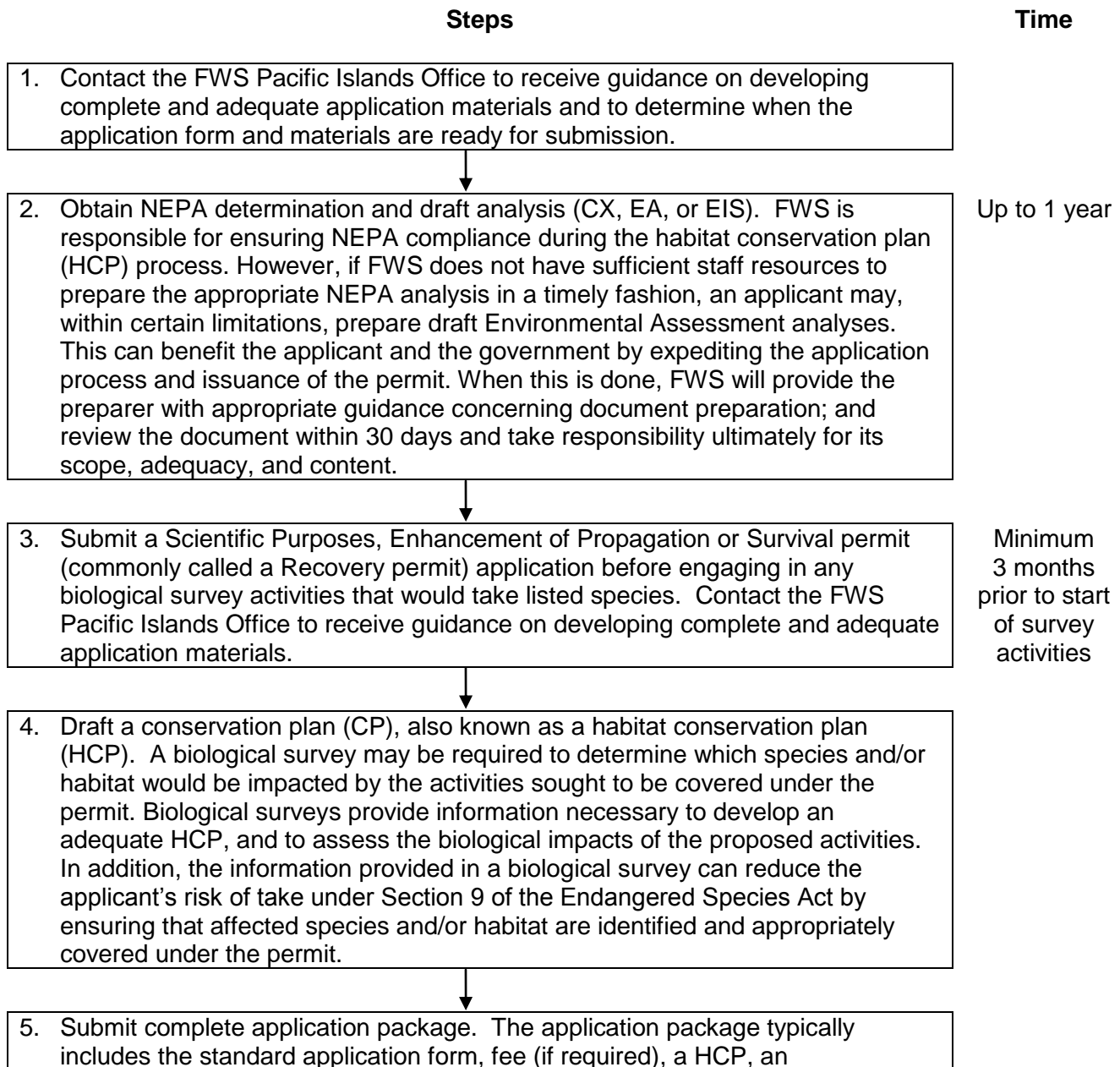
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**Notes:**

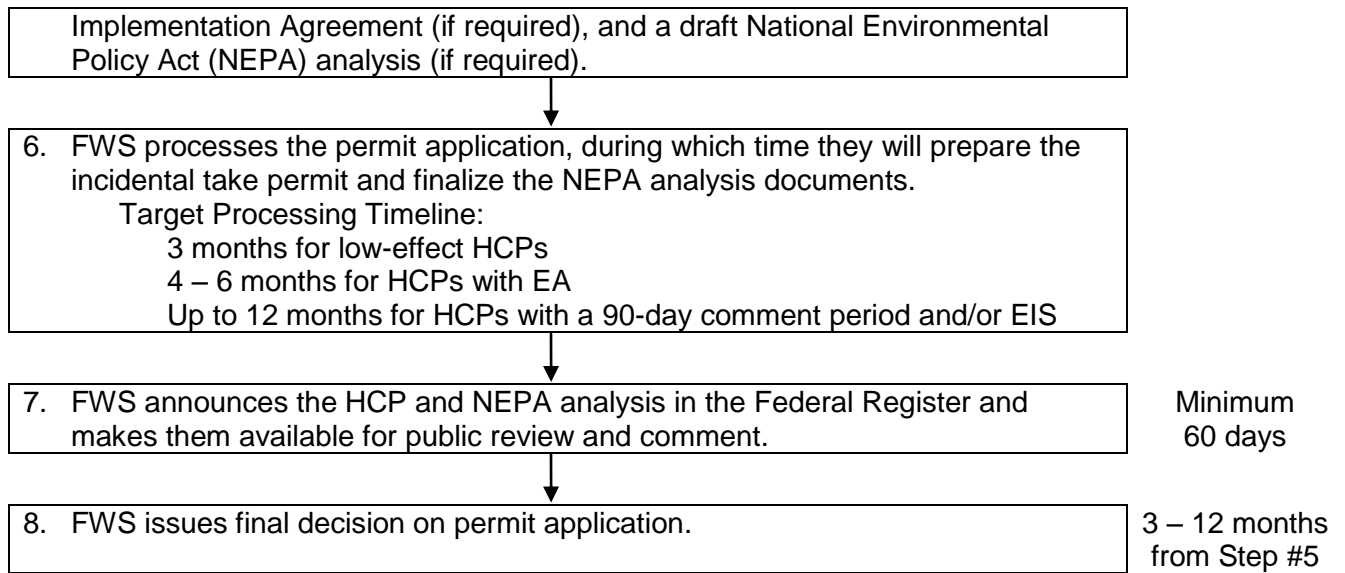
- An Endangered Species Act (ESA) Section 7 Determination is required for any federal agency (other than FWS) providing any type of authorization or funding to a proposed project. This federal agency (the “action agency”) is required to obtain a Biological Opinion (BO) and Incidental Take Statement (ITS), also known as an Endangered Species Permit, to allow the agency to authorize or fund the project.
- **Section 7 will apply to the majority of renewable energy projects in Hawai`i.**
- An ESA Section 10 Determination is required for non-federal entities to obtain an Incidental Take Permit (ITP), which is only necessary if there is no federal authorization or funding to the proposed project.



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**Total Time Period: 3 months to 2 years**

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<b>Fees</b>	<b>Amount</b>	<b>Maximum</b>
Application fee	\$25	\$25
Total Fees:	\$25 (minimum)	\$25 (maximum)